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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,956	10/08/2003	Omer Kaan Varol	SWR-0122	7913

7590
Cantor Colburn LLP
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02/23/2007

EXAMINER

VUONG, QUOCHIE B

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/681,956

Applicant(s)

VAROL, OMER KAAN

Examiner

Quochien B. Vuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3 and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Bauer et al. (US 5,859,900).

Regarding claim 1, Bauer et al. (figures 2-4) disclose a process for switching telephone conversations to be paid by call recipient, the process comprising: transmitting a telephone number of the recipient to a switching system by a caller (column 4, lines 41-47, and 57-67); checking the telephone number in terms of its validity in a databank adjustment unit (column 4, lines 44-47; column 5, lines 1-26); and following prior authorization by the call recipient, automatically establishing a telecommunications connection between the caller and the call recipient (column 5, lines 54-67; column 6, lines 20-24).

Regarding claim 2, Bauer et al. disclose wherein the switching system is dialed by the caller, and wherein the telephone number of the call recipient is transmitted to

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the switching system at the same time as the call to the switching system (column 4, lines 41-47).

Regarding claim 3, Bauer et al. disclose wherein a status check of the call recipient is carried out (column 4, lines 44-47; column 5, lines 1-26).

Regarding claim 8, Bauer et al. disclose wherein the switching system automatically asks the call recipient for authorization of the telephone call (column 6, lines 13-19).

Regarding claim 9, Bauer et al. disclose wherein in the absence of authorization by the call recipient, the switching system notifies the caller, and the telephone conversation is terminated (column 6, lines 35-39).

Regarding claim 10, Bauer et al. disclose wherein, after the telephone conversation has taken place, the charge that is to be paid in this regard is automatically calculated and billed to the call recipient (column 6, lines 45-47).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bauer et al. in view of Smith et al. (US 5,995,822).

Regarding claims 4 and 6, Bauer et al. disclose the process of claim 1 above. Bauer et al. do not specifically disclose wherein, following successful status checking, a telecommunications connection is automatically established between the caller and the call recipient for a specifiable period of time or automatically broken off following the transmission of the caller-identifying information and/or after a specifiable time interval. However, Smith et al. disclose telecommunications connection is automatically established between the caller and the call recipient for a specifiable period of time or automatically broken off following the transmission of the caller-identifying information and/or after a specifiable time interval (column 6, lines 7-51). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to adapt the teaching of Smith et al. to the process of Bauer et al. in order for the user to control the cost.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bauer et al. in view of Nightingale et al. (US 6,546,238).

Regarding claim 5, Bauer et al. disclose the process of claim 1 above. Bauer et al. do not specifically disclose wherein caller-identifying information is transmitted from the caller to the call recipient for the telecommunications connection between the caller and the call recipient. However, Nightingale et al. disclose caller-identifying information is transmitted from the caller to the call recipient for the telecommunications connection between the caller and the call recipient (column 13, line 63 – column 14, line 23). Therefore, it would have been obvious to one having

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ordinary skill in the art at the time the invention was made to adapt the teaching of transmitting caller-identification to the call recipient of Nightingale et al. to the process of Bauer et al. in order to alert the call recipient of who is calling.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bauer et al. in view of Freedman (US 5,627,887).

Regarding claim 7, Bauer et al. disclose the process of claim 1 above. Bauer et al. do not specifically disclose wherein items of information pertaining to the rate scale are transmitted to the call recipient by the switching system. However, Freedman disclose information pertaining to the rate scale are transmitted to the call recipient by the switching system (column 6, line 35 – column 7, line 4; column 7, lines 41-60).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to adapt the teaching of Freedman for transmitting items of information pertaining to the rate scale to the call recipient by the switching system to the process of Bauer et al. in order to make the call recipient aware of the cost.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Frech et al. (US 6,233,325) disclose calling party identification announcement service.

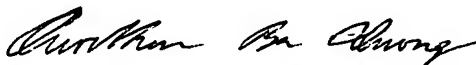
Boughman et al. (US 6,718,025) disclose system and method for toll notification when placing a call.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quochien B. Vuong whose telephone number is (571) 272-7902. The examiner can normally be reached on M-F 9:30-18:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Quochien B. Vuong
Feb. 20, 2007.


QUOCHIE B. VUONG
PRIMARY EXAMINER